

Michigan Office of Administrative Hearings and Rules

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**AGENCY REPORT TO THE
JOINT COMMITTEE ON ADMINISTRATIVE RULES (JCAR)**

1. Agency Information

Agency name:

Licensing and Regulatory Affairs

Division/Bureau/Office:

Marijuana Regulatory Agency

Name of person completing this form:

JESSICA FOX

Phone number of person completing this form:

517-284-9294

E-mail of person completing this form:

FOXJ12@michigan.gov

Name of Department Regulatory Affairs Officer reviewing this form:

Elizabeth Arasim

2. Rule Set Information

MOAHR assigned rule set number:

2021-10 LR

Title of proposed rule set:

Marihuana Employees

3. Purpose for the proposed rules and background:

To update the existing rules to allow for hearings for employees/individuals who have received notice of the agency's intent to exclude them from employment at a marihuana business and to address employees being allowed to work at multiple marihuana businesses.

4. Summary of proposed rules:

The rule changes are designed to create consistency in the hiring and employment practices of marihuana businesses, specifically as it relates to an employee being employed by more than one marihuana business.

5. List names of newspapers in which the notice of public hearing was published and publication dates:

The Flint Journal – September 7, 2021

The Grand Rapids Press – September 7, 2021

The Mining Journal – September 7, 2021

6. Date of publication of rules and notice of public hearing in Michigan Register:

9/1/2021

7. Date, time, and location of public hearing:

9/27/2021 09:30 AM at Williams Building, 1st Floor Auditorium , 525 West Ottawa Street, Lansing, Michigan

8. Provide the link the agency used to post the regulatory impact statement and cost-benefit analysis on its website:

<https://ARS.apps.lara.state.mi.us/Transaction/RFRTransaction?TransactionID=1268>

9. List of the name and title of agency representative(s) attending public hearing:

Andrew Brisbo – Executive Director

Jessica S. Fox – Departmental Analyst, Scientific & Legal Section

Kelly Kronner – Departmental Analyst, PR Section

10. Persons submitting comments of support:

MCMA

Cannabis Law Section Special Committee on Rules

Terrapin

11. Persons submitting comments of opposition:

Cresco Labs

Bob Hendricks

Carbidex

Cannabis Law Section Special Committee on Rules

NORML

Terrapin

Shryne

MCMA

12. Identify any changes made to the proposed rules based on comments received during the public comment period:

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	Name & Organization	Comments made at public hearing	Written Comments	Agency Rationale for change	Rule number & citation changed
1	MCMA		Responsible Operations Plans should only apply to specific licensees (those who sell/transfer to customers). Other licensees cover the topics applicable to them in the required security plans.	The agency agrees with this comment.	R 420.602(2) (e)
2	Cannabis Law Section – Special Committee on Rules		The definition of employee listed in 420.602(6) is inconsistent with the definition in 420.602(1).	The agency agrees with this comment.	R 420.602(6)
3	MCMA		Comment was received on the Marihuana Licenses rule set that the definition of Marihuana Establishment should be modified to match the definition in MRTMA.	Definition updated to match definition in other rule set where feedback was incorporated under R 420.1(1) (s).	R 420.601(1) (j)

13.Date report completed:

12/16/2021